

**UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR  
PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO  
RICO, *et al.*,

Debtors<sup>1</sup>

PROMESA  
Title III

No. 17-BK-3283-LTS

**INFORMATIVE MOTION**

COMES NOW, Vaquería Tres Monjitas, Inc. (“VTM”), through its undersigned counsel and respectfully states as follows:

1. On September 3, 2021, creditor Suiza Dairy Corp. (“Suiza”) filed the *Preliminary Witness Disclosure* [ECF No. 18029] (“Disclosure”).
2. Suiza, in its Disclosure, states that it intends to object to the Disclosure Statement [sic]<sup>2</sup> based, in part, on an error in the Suiza claim amount listed in the Commonwealth’s proposed Plan of Adjustment resulting from an alleged incorrect distribution of a payment as between Suiza and VTM.
3. In its Disclosure, Suiza identified two witnesses who would testify regarding the alleged incorrect distribution of the payment as between Suiza and VTM.
4. VTM categorically rejects Suiza’s position that the payment was incorrectly distributed. Further, VTM does not believe that the amount of Suiza’s claim or the distribution of the payment as between Suiza and VTM is an issue for

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<sup>1</sup> The Debtors in these Title III cases, along with each Debtor’s respective title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17- BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566(LTS)) (Last Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808), (iv) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801).

<sup>2</sup> VTM believes that Suiza intends to object to confirmation of the Plan of Adjustment.

confirmation. Instead, it is a matter for the claims reconciliation and claim objection process.

5. To the extent that the Court intends to consider Suiza's objection based on the amount of its claim in connection with the hearings on confirmation of the Plan of Adjustment, VTM reserves the right (i) to seek discovery to the extent that Suiza's objection could impact VTM's claim, and (ii) to call its own witnesses in connection therewith.

**WHEREFORE**, counsel, on behalf of the VTM, respectfully requests this Honorable Court to take notice of the information stated above.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 13<sup>th</sup> day of September 2021.

**WE HEREBY CERTIFY** that on this same date the foregoing Informative Motion was filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record.

**G. CARLO-ALTIERI LAW OFFICES, EPSTEIN BECKER & GREEN, P.C.  
LLC**

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